

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

XU LUN, a pseudonym,

Plaintiff,

v.

MILWAUKEE ELECTRIC TOOL
CORPORATION., et al.,

Defendants.

Case No. 2:24-cv-00803-BHL

**PLAINTIFF'S CONDITIONAL MOTION FOR LEAVE TO CONDUCT
JURISDICTIONAL DISCOVERY**

Under Rule 7(b), plaintiff Xu Lun respectfully requests that, if this Court concludes that the record is insufficient to determine whether it has personal jurisdiction over defendant TTI, this Court grant leave to conduct jurisdictional discovery. Mr. Xu's opposition to TTI's motion to dismiss explained in detail why this Court has personal jurisdiction over TTI, supported by an extensive documentary record. Dkt. 41 at 37–46; Dkts. 41–1–41–31. If this Court agrees, no jurisdictional discovery is necessary, and the Court should simply deny TTI's motion to dismiss for lack of jurisdiction. But if this Court were to conclude that the record is currently insufficient to determine whether it has personal jurisdiction, then, in the alternative, Mr. Xu has certainly met the “minimal burden” of “establish[ing] a colorable” showing sufficient to warrant “jurisdictional discovery.” *B.D. ex rel. Myer v. Samsung SDI Co.*, 91 F.4th 856, 864 (7th Cir. 2024). Mr. Xu requested and set forth the reasons justifying jurisdictional discovery in his memorandum of law in opposition to the defendants' motion to dismiss. Dkt. 41 at 47–48. But out of an abundance of caution, Mr. Xu also files this formal conditional motion for leave to conduct jurisdictional discovery.

Pursuant to Civil Local Rule 7(a)(1), Mr. Xu is also filing a memorandum of law in support of this conditional motion that briefly summarizes the basis for jurisdictional discovery and the jurisdictional discovery he would seek to conduct in the event this Court determines it is necessary to ascertain its jurisdiction over TTI.

Dated: December 23, 2024

Respectfully submitted,

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